Integrated Pest Management Act and Regulation

Summary

This is a summary prepared to provide general guidance on the use of pesticides in British Columbia. This is not a legal document and the contents should not be relied upon for legal purposes. In all cases the Integrated Pest Management Act and Regulations will prevail. Copies of the Act and Regulations may be obtained through the Queen's Printer.

BRITISH COLUMBIA

Ministry of Water, Land and Air Protection
Integrated Pest Management Program

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1. Introduction

1.1 Purpose of this Summary

This document provides a summary of the *Integrated Pest Management Act* and Regulation, brought into force on December 31, 2004, replacing the *Pesticide Control Act.* The legislation sets out requirements for the use and sale of pesticides in British Columbia.

The summary is intended to provide an overview of the new legislation. Additional information – including a more thorough compendium of the *Act* and Regulation, industry sector reviews of the regulations and links to application forms and the legislation – will be posted when prepared, and can be accessed by clicking on the address below, or from the Ministry of Water, Land and Air Protection homepage, by following the *Environmental Protection Division*, *Environmental Management Branch*, and *Integrated Pest Management* links. IPM Program webpage: wlapwww.gov.bc.ca/epd/epdpa/ipmp/pestact/index.html

1.2 Ministry Responsibilities and Structure

The BC Ministry of Water, Land and Air Protection is responsible for the protection of human health and the environment in British Columbia. The Integrated Pest Management (IPM) Program of the ministry promotes IPM and environmental stewardship, and ensures compliance with the *Integrated Pest Management Act* and Regulation. The legislation establishes conditions for the sale and use of pesticides through a pesticide classification system and regulatory provisions and standards for licences, certification, permits, Pest Management Plans (PMPs) and pesticide use notices (PUNs). It also: specifies use of Minister's orders; powers of the Administrator under the *Act*; provisions for appeals of Administrator's decisions to the Environmental Appeal Board; establishment of an IPM Committee to review issues referred to them by the administrator; and provisions for inspections and penalties.

2. Integrated Pest Management and Development of the Legislation

The primary goals of the *Integrated Pest Management (IPM) Act* and Regulation are to:

- Establish regulatory requirements based on degree of risk to human health and the environment;
- Promote environmental stewardship and integrated pest management; and
- Set clear and enforceable standards for the protection of human health and the environment.

The *Act* and Regulation require the use of Integrated Pest Management for pesticide use on public land; on private land used for forestry, transportation, public utilities and pipelines; and for pest control service companies.

The *Act* links to provisions established under the federal *Pest Control Products Act* regarding pesticide classification and labeling and for unregistered pesticide uses for research purposes.

2.1 Integrated Pest Management (IPM)

Because it requires a proactive and preventative approach, IPM reduces reliance on pesticides and can lead to a reduction in their use. The *Act* defines IPM as "a process for managing pest populations that includes the following elements:

a. Planning and managing ecosystems to prevent organisms from becoming pests;

b. Identifying pest problems and potential pest problems;

c. Monitoring populations of pests and beneficial organisms, damage caused by pests and environmental conditions;

d. Using injury thresholds in making treatment decisions;

e. Suppressing pest populations to acceptable levels using strategies based on considerations of:
   - Biological, physical, cultural, mechanical, behavioural and chemical controls in appropriate combinations,
   - Environmental and human health protection; and

f. Evaluating the effectiveness of pest management treatments."

2.2 Consultation Process for Development of the *IPM Act* and Regulation

The process to draft the *Act* and Regulation involved a series of discussion papers posted on the ministry website, public comment and workshops between 2002 and 2004. The discussion papers and summaries of public comments are available on the ministry's IPM Program website.

3. Elements of the *IPM Act* and Regulation

3.1 Structure and Scope of the *Act*

The *Integrated Pest Management Act* and Regulation establish conditions for the sale and use of pesticides in British Columbia through a classification system and regulatory provisions for licences, certification, permits, Pest Management Plans and ministry confirmations of receipt of a pesticide use notice. The Regulation also contains public notification, consultation, reporting, and record keeping provisions – as well as standards for use of Integrated Pest Management and for human health and environmental protection

Under the *IPM Act*, a person must not "use, handle, release, transport, store, dispose of or sell a pesticide in a manner that causes or is likely to cause an unreasonable adverse effect." This general prohibition, in concert with requirements for Integrated Pest Management (IPM), underpins the ministry's approach to regulation of pesticide use in British Columbia.

Key Regulatory Tools and Processes under the *IPM Act*:

Pesticide classes: using definitions, labeling and other standards set out in the federal *Pest Control Products Act*

Licences: for sale or use of specified pesticides

Certificates: for dispensing or applying specified pesticides

Permits: for use of pesticides of particular concern

Pest Management Plans and PUN confirmation: for specified large-scale programs that require IPM plans and ministry notification.

The *Act* contains provisions for establishment of an advisory Integrated Pest Management Committee with representatives of identified government regulatory agencies, as well as powers of the minister and administrator to establish and enforce regulations. It also specifies "decisions" that may be appealed and provisions for their appeal to the **Environmental Appeal Board** (established under authority of the *Environmental Management Act*). Decisions that may be appealed include terms or conditions that are added to a particular licence or permit and orders given by the administrator, such as to stop or refrain from using a pesticide or to suspend a licence, permit or confirmation.

3.2 Classification of Pesticides

The *IPM Act* and Regulation establish **classes** of pesticides, and requirements for licences, certification, permits and PUN confirmations for each class. The classification system utilizes definitions and labeling for sale and use of pesticides set out in the federal *Pest Control Products Act*.

Pesticide classes under the *IPM Act* are:

- **Permit-restricted:** these pesticides are listed by name in the regulation. They are the most strictly controlled, requiring a permit for purchase or application;[1]
- **Restricted**: these pesticides have the Restricted product class specified on their label. A pesticide applicator certificate is required for their purchase or use;
- **Commercial**: these pesticides have the Commercial product class specified on their label;
- **Domestic**: these pesticides have the Domestic product class specified on their label. They are intended for use by non-professionals in or around private homes and gardens; and
- **Excluded**: these pesticides are listed by name or type of use in the regulation. Their use or sale does not require a licence, certificate, permit or confirmation. They are assigned to this class because the Administrator considers that excluding them from requirements for a licence, permit or confirmation will not increase the risk of unreasonable adverse effects.[2]

It is anticipated that the permit-restricted and excluded pesticides listed in the Regulation will be reviewed and updated on a regular basis. The table below provides a summary of requirements for each class of pesticide under the *IPM Act* and Regulation.

Summary of Requirements for each Class of Pesticide Under the *IPM Act* and Regulation

Requirements	Pesticide Classes				
	Permit-restricted	Restricted	Commercial	Domestic	Excluded
Permit required for purchase and all uses	Yes	No	No	No	No
Applicator certificate required for purchase and all uses	Yes	Yes	No	No	No
Purchase must be recorded by Vendor	Yes	Yes	Yes	No	No
Dispenser certificate required for selling pesticides	Yes	Yes	Yes	Yes	No
Vendor licence required for selling pesticides	Yes	Yes	Yes	Yes	No
User licence required for pesticide uses conducted on a fee-for- service basis	Yes	Yes	Yes	Yes	No
Pesticide user **licence** required for use on specified private or public lands for specified purposes to a defined maximum area per year (see sections 3.3 and 4)	Yes	Yes	Yes	Yes	No
Pest Management Plan and confirmation of receipt of pesticide use notice (**PUN confirmation**) required for specified pesticide use and lands (see sections 3.6 and 4)	Yes	Yes	Yes	Yes	No
Applicator certificate required to supervise pesticide use by the holder of a licence, permit or PUN confirmation	Yes	Yes	Yes	Yes	No
Pesticide use **permit** required for uses of high concern (e.g., aerial application over urban or residential areas)	Yes	Yes	Yes	Yes	Yes
Use must not cause an unreasonable adverse effect	Yes	Yes	Yes	Yes	Yes

[1] Permit-restricted pesticides are listed Schedule 1 of the Regulation and include 4-aminopyridine and monosodium methanearsonate (MSMA). Note that most of the permit-restricted pesticides listed in the former *Pesticide Control Act* Regulation are not included in the *IPM Act* Regulation because they are no longer registered and cannot be used.

[2] Excluded pesticides are listed in Schedule 2 of the Regulation and include such products as animal repellents, pruning paints, insect repellents, soaps and deodorizers.

3.3 Licences for the Sale or Use of Pesticides

The Regulation prescribes three categories of licences: **pesticide vendor; pesticide user service**; and **pesticide user non-service**. A pesticide vendor licence is required for the sale of non-excluded pesticides, and for the purchase of pesticides that are intended to be resold (i.e., from a wholesaler or manufacturer). A person (or an incorporated company) who provides a service for a fee, using a non-excluded pesticide, requires a pesticide user service licence. A person using a pesticide on land they own or manage requires a pesticide user non-service licence. A person may hold a licence endorsed for one or more categories, as requested in the application.

The main pesticide uses for which a person must hold a non-service licence, include:

- Management of vegetation on specified rights of way (e.g., railways, highways and public utilities) on public or private land and on specified industrial sites (e.g., landfills, dams, dikes, and airports) on public land where up to 20 ha/year[3] of land is treated;
- Management of forest pests on up to 20 ha/year of public land used for forestry;
- Management of noxious weeds or invasive plants on up to 50 ha/year of public land;
- Management of structural pests and pests of gardens and landscaping on public land; and
- Management of forest pests on private land used for forestry.

Note that if the total area of land managed by one company or agency exceeds the maximum area allowed under a licence, the company or agency must develop a Pest Management Plan (PMP) and obtain a pesticide use notice (PUN) confirmation as described in Section 3.5 below. The summary table provided in Section 4 of this document lists the pesticide uses that require a licence, as well as the types of uses requiring a PUN confirmation or a permit.

Note that **effective January 7, 2007**, a licence will be required for use of pesticides to manage pests:

- Inside rooms used as living accommodation, or in common areas of a multi-residence building **on private land** and containing four or more separate units;[4] or
- On outdoor areas, to which one or more occupier has access, of a multi-residence property **on private land** and containing four or more separate units.

There are a number of uses that are exempted from the requirement to hold a licence, including:

- Use of excluded pesticides;
- Use or sale by an employee or contractor of a licensee;
- Use as a service to treat goods brought to the service provider's own property;
- Use by a paving company to manage vegetation before paving;
- Sale of pesticides by wholesalers or manufacturers of pesticides to a retail vendor licensee;
- Use for a research purpose (consistent with exemptions and terms under federal pesticide legislation); and
- Use or sale for the treatment of animal pests by or under the direction of a veterinarian.

[3] The maximum area for each type of pesticide use refers to the total area to which pesticide is applied in a year on land owned or managed by a single company, individual or government organization.
[4] This provision does not apply if an occupier of the living accommodations uses the pesticide only within his or her own living accommodations.

Licence holders are required to comply with the consultation, notification, reporting and record keeping provisions as well as the standards for use of integrated pest management and for the protection of human health and the environment, specified in the *Act* and Regulation.

The Administrator may suspend or revoke a licence for failure to comply with the Regulation. A licence is not transferable without the written authorization of the Administrator. A vendor licensee may only sell pesticides from, and a user licensee may only conduct business from, addresses identified on the licence. The Administrator is to be informed of a change of address in the licensee's place of business within 30 days of the change.

The *IPM Act* includes detailed definitions and particulars concerning licence categories and requirements. Those wishing further information may view the *IPMA Regulation Industry Sector Reviews* and the *Compendium of Integrated Pest Management Legislation* and that will be posted on the ministry's website in early 2005.

3.4 Certification for the Sale or Use of Pesticides

A pesticide dispenser or pesticide applicator **certificate** endorsed for the appropriate category must be obtained and held by:

- Any person selling a pesticide other than an excluded pesticide;
- Any person using permit-restricted or restricted pesticides;
- Any person supervising the use of a pesticide (other than an excluded pesticide) for the holder of a licence, PUN confirmation or permit; or
- Any pilot of an aircraft applying a pesticide.

To be eligible for certification (valid for a maximum 5 year term), a person must be at least 16 years of age and have successfully passed the appropriate examination. For re-certification, a person can write the exam or can enroll in an approved continuing education program and obtain the required continuing education credits (CECs).

Any licensee selling pesticides must ensure that a certified dispenser is available: to assist with pesticide handling, storage and emergency response in the vendor outlet; to advise each pesticide purchaser that they may only use the pesticide according to label instructions; and to offer to provide advice about pest management and safe use of the pesticide to each purchaser. A permit-restricted or restricted pesticide can only be sold to a certified applicator, and no pesticide may be sold to a person who is under 16 years of age.

Licensees, PUN confirmation holders and permittees must ensure that pesticides are either used by a certified applicator, or that the pesticide use is supervised by a certified applicator who supervises no more than four uncertified staff who are within 500 m and visual or auditory contact.

Note that the sale or use of a pesticide classed as "excluded" does not require a certificate.

3.5 Pesticides and Pesticide Applications that Require a Permit

A **permit** for use of pesticides is required for particular products or uses of concern, including aerial applications over urban or residential areas, use of a permit-restricted pesticide, and to allow for deviations from standards and requirements set out in the Regulation (see the Section 4 summary table at the end of this document for a list of uses that require a permit).

Permit applicants must submit to the Administrator, proof that specified consultation has been provided for, and a description of proposed actions to respond to comments received during consultation. The Regulation includes provisions for the Administrator to exempt a permit applicant from consultation requirements if: the proposed pesticide application relates to an unforeseen pest problem and any delay would likely result in an unreasonable adverse effect; or if the proposed use is to such a small or remote area that it is unlikely to affect any person or any other person's property.

The permit holder must comply with the general standards for pesticide use in the Regulation, as well as any terms and conditions that the Administrator may specify in the permit.

3.6 Pest Management Plans and PUN Confirmations

A **Pest Management Plan (PMP)** must be prepared, and a pesticide use notice (PUN) confirmation must be received before a person can proceed with specified pesticide uses that are mainly large scale industrial pest management operations.

The main pesticide uses for which a person must prepare a Pest Management Plan and hold a PUN confirmation include the following:

- Management of vegetation on specified rights of way (e.g., railways, highways and public utilities) on public or private land and on specified industrial sites (e.g., landfills, dams, dykes, and airports) on public land, where more than 20 ha/year[5] of land is treated by a land manager;
- Management of forest pests on more than 20 ha/year of public land used for forestry;
- Management of noxious weeds or invasive plants on more than 50 ha/year of public land; and
- Management of mosquitoes with a bacterial pesticide on more than 1 ha/year of a water body and other mosquito control of any size on public land.

Pesticide uses that require a pesticide use notice confirmation are also listed in the Section 4 summary table at the end of this document. Note that a Pest Management Plan and PUN confirmation is not required for use of "excluded" pesticides.

The *IPM Act* and Regulation specify the process for PUN confirmation:

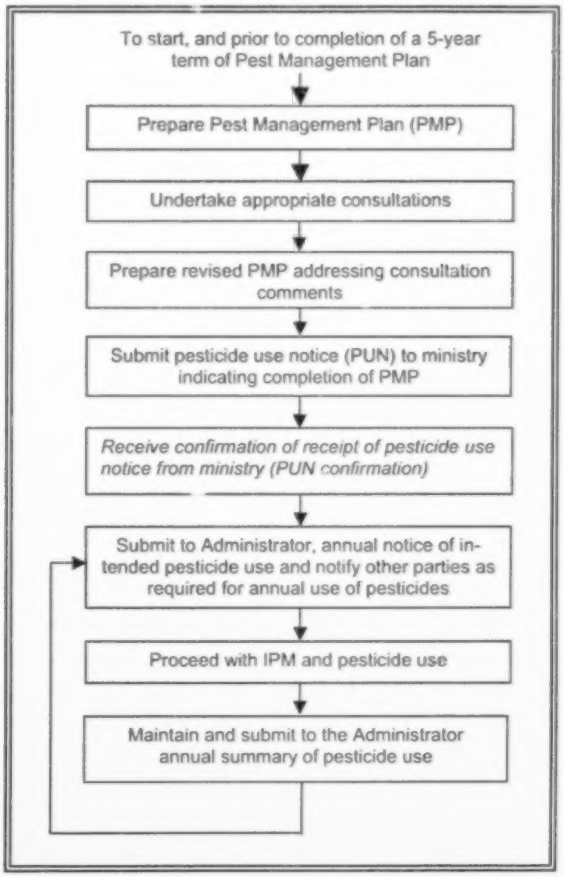
- Preparation of a Pest Management Plan, that contains IPM considerations and environmental protection details and that involves public consultation;
- Submission of a pesticide use notice to the ministry, which informs the ministry that the Pest Management Plan has been developed, and indicates the geographic boundaries of the pest management area, the pesticides to be used and contact information; and
- Confirmation is sent to the applicant that the ministry has received the required pesticide use notice.

The holder of the PUN confirmation must annually inform the ministry of the sites where pesticides will be used that year. When pesticides are used, the holder of the PUN confirmation must follow the standards for use of IPM and protection of human health and the environment set out in the Regulation.

This process is outlined in the flowchart on the following page.

[5] The minimum area for each type of pesticide use refers to the total area to which pesticide is applied in a year on land owned or managed by a single company, individual or government organization.

Pest Management Plan Preparation and PUN Confirmation Process


To start, and prior to completion of a 5-year term of Pest Management Plan
Prepare Pest Management Plan (PMP)
Undertake appropriate consultations
Prepare revised PMP addressing consultation comments
Submit pesticide use notice (PUN) to ministry indicating completion of PMP
Receive confirmation of receipt of pesticide use notice from ministry (PUN confirmation)
Submit to Administrator, annual notice of intended pesticide use and notify other parties as required for annual use of pesticides
Proceed with IPM and pesticide use
Maintain and submit to the Administrator annual summary of pesticide use

3.7 Public Consultation Requirements

An individual or incorporated company applying to the ministry for a permit or preparing a Pest Management Plan must conduct adequate public consultation. The public consultation process must include:

- Advertising the proposed pesticide use in local newspapers;
- Making reasonable effort to directly contact and consult with individuals or members of organizations who may potentially be significantly impacted by any proposed pesticide use; and
- Documenting actions that the applicant commits to undertake to address comments received from the public.

Licensees intending to use pesticides on more than 20 ha a year of privately owned forest land must also provide an opportunity for neighbouring property owners to comment regarding proposed treatments. Details of timing, contents of notices and other requirements are specified in the Regulation. These requirements will be described in the regulation reviews for industry sectors. The ministry will also develop and post separate guidelines for consultations with First Nations.

3.8 Public Notification Requirements

The Regulation sets out requirements for notification of the public, property owners and residents prior to pesticide use by licensees, permittees, and PUN confirmation holders. Notification requirements may include posted notices (signs posted in advance of, or immediately following, specified pesticide applications), newspaper and/or radio broadcast notices, and direct notification of individuals, especially those who had been offered notification during the consultation process.

The Regulation includes specific requirements for notification of people when pesticides are used in residences, or in indoor or outdoor common areas of multiple residence buildings or properties.[6] Notification requirements are also specified for outdoor public use areas[7] and pesticide use on the property of a school or child care facility.

Detailed descriptions of public notification requirements under the Regulation are contained in the *Sectoral Guidance Papers for IPM Practitioners,* as well as the *Compendium of IPM Legislation*, available on the ministry's website in early 2005.

3.9 Fees

The Regulation sets out the following fee schedule for required applications, permits and licences. Fees are generally for a one-year period, from April 1 in one year to March 31 in the following year, unless otherwise noted. Application forms with payment options are available on the ministry's website.

Summary of Fees for Licences, Certificates, Permits and PUN Confirmations

Requirement	Category 1	Category 2	Category 3
1. Pesticide vendor licence applicant	$250 to sell domestic pesticides and up to 100 kg/year of commercial, pesticides	$1,000 to sell more than 100 kg/year of commercial, restricted or permit-restricted pesticides	n/a
2. Pesticide user service licence applicant – for structural, landscape or mosquito pest management and any other service not referred to in 3 below	$250 if for use from one business address	$500 if for use from 2 or 3 business addresses	$1,000 if for use from 4 or more business addresses
3. Pesticide user service licence applicant – for management of forest pests and vegetation on rights of ways, industrial sites and noxious weeds	$250 if for use on less than 50 ha in each year	$500 if for use on 50 or more ha, but less than 500 ha in each year	$1,000 if for use on 500 or more ha in each year
4. Pesticide user non-service licence applicant – for management of forest pests	$250 if for use on less than 50 ha in each year	$500 if for use on 50 or more ha, but less than 500 ha in each year	$1,000 if for use on 500 or more ha in each year
5. Pesticide user non-service licence applicant – other than in 4 above	$250	n/a	n/a
6. Pesticide dispenser or pesticide applicator certificate	$90 for application requiring examination	$25 for application for renewal of a certificate by CECs	n/a

[6] "Multi-residence common areas" include *indoor areas* of a multi-residence property to which all or most occupants of the property have access, or *outdoor areas* within 5 m of an entrance or window to living accommodations or maintained for purposes of passage, parking or recreation.

[7] Outdoor public use areas are defined as landscaped areas of public land that are maintained for public passage or recreation.

Requirement	Category 1	Category 2	Category 3
7. Permit Applicant	$1,000 for a term of up to 3 years	n/a	n/a
8. Applicant for PUN confirmation (except preservation of poles) term of up to 5 years	$500 for pesticide use on less than 50 ha in any year of the term	$1,000 if for use on 50 or more ha, but less than 500 ha, in any year of the term	$2,000 if for use on 500 or more ha in any year of the term
9. Applicant for PUN confirmation (preservation of poles) term of up to 5 years	$1,000 for pesticide use on more than 1,000 but not more than 10,000 poles in any year of the term	$2,000 for pesticide use on more than 10,000 poles in any year of the term	n/a

3.10 Standards for Storage, Transport, Sale or Use of Pesticide

Any person storing, transporting or using a pesticide must do so in a manner that minimizes hazards to human health and the environment following the standards set out in the Regulation. Pesticides, other than excluded and domestic pesticides, must be stored separately from food intended for human or animal consumption in a properly ventilated facility, with appropriate signage and restrictions to access. Pesticides being transported must be secured in a manner that prevents escape or discharge – or contamination of food or drink, or household items such as furnishings or bedding. Vendor licensees must store and display domestic pesticides, as well as other pesticides, separately from food intended for human or animal consumption. The Regulation also details additional storage facility requirements for specified pesticides.

The Regulation outlines IPM principles that all licensees and PUN confirmation holders will be expected to follow when considering the use of a pesticide, including:

- Identification and, if possible, implementation of reasonable measures to prevent pests;
- Identification of the pest species and pest complexes to be managed;
- Monitoring to determine the population of pests and their location (as well as the environmental conditions of the treatment area and the damage that has been caused by the pests, if applicable);
- Determination of the injury threshold for each pest, for consideration of when to use a pesticide;
- Treatment selection based on consideration of practical alternatives to pesticide use and protection of human health and the environment; and
- Observations and evaluation of the effectiveness of use of the pesticide.

The Regulation contains detailed requirements to minimize hazards to human health and the environment, and guide the safe use of pesticides. There are some general requirements for all pesticide user licence holders and PUN confirmation holders. These include:

- Ensuring adequate training of pesticide users about treatment details;
- Pre-treatment inspections;
- Taking precautions to prevent unprotected human exposure to pesticides;
- Maintaining a 30 m no treatment zone around wells;
- Preventing release of pesticide spray or runoff into natural water bodies or onto an adjacent owner's land; and
- Limiting broadcast or foliar spraying to periods when wind speed is less than 8 km/hour.

There are additional standards for PUN confirmation holders. These include:

- Limiting pesticide use to the locations specified in annual notices of intent to treat submitted to the ministry;
- Providing each applicator with access to a detailed map showing the treatment area with areas to be protected; and
- Maintaining a 10 m "pesticide-free zone" around bodies of water, dry streams and classified wetlands as specified, including a no treatment zone sufficient to ensure maintenance of the pesticide free zone.

The Regulation also sets out the terms under which the pesticide-free zone may be eased for specific pesticides and uses (e.g., for specified uses of glyphosate for vegetation management in forests).

Those interested in these standards should consult the *Compendium of IPM Legislation*, as well as the IPMA Regulation *Industry Sector Reviews,* that will be posted on the ministry's website.

3.11 Record Keeping and Reporting Requirements

The Regulation lists required contents, as well as reporting requirements, for records that must be maintained under the legislation. The Administrator must also be notified, as soon as practically possible, of emergency situations and of non-compliance with specified aspects of the *IPM Act* Regulation.

The types of records and reporting expectations for licensees, PUN confirmation holders, and permit holders are described in the table below.

Record or Report	Vendor Licensee	Licensee	PUN confirmation holder	Permit holder
Records of sale – of commercial, permit-restricted or restricted pesticides must be maintained (by the vendor)	✓	n/a	n/a	n/a
Annual sales report – summary of pesticide sales to Administrator by April 1 of each year following a calendar year	✓	n/a	n/a	n/a
Records of use – for each treatment location and day of use[8]	n/a	✓	✓	✓
Public consultation records – for consultations required under the Regulation	n/a	✓	✓	✓
Annual use report – summary of use to Administrator by January 31 of each year in the next calendar year	n/a	✓	✓	✓
Notice of intent to treat – to Administrator prior to intended use of a pesticide	n/a	✓[9]	✓[10]	n/a
Notice of use of a fumigant, aerial application or any use on public land (with licence application or 2 business days before a use)		✓		

[8] Specific requirements for records of use differ among licensees, PUN confirmation holders and permit holders. For details see the *Compendium of IPM Legislation*.

[9] Written notice to the Administrator at least 2 business days before intent to treat public land, or aerially, or by fumigation. Annual notice at least 14 days before using a pesticide for the first time in a calendar year before intended use on more than 20 ha a year of private forest land.

[10] Annual notice of intent to treat at least 21 days before intended use of a pesticide for the first time in a calendar year.

3.12 Compliance and Enforcement Provisions

The *IPM Act* contains provisions for substantive penalties if deemed warranted (up to a maximum of $200,000 for an individual's first offence), as well as providing latitude to the Courts for sentencing options (e.g., directing payment of funds or services to environmental restoration). The *Act* enables the setting and collection of administrative penalties to reduce reliance on the court system.[11]

Under the *Act*, the minister may designate specified provincial, federal or local government employees as "inspectors," with authority to audit for compliance and enforce provisions of the Regulation. The *Act* also establishes a "qualified monitor" category of person, and provisions to identify when such a person should be required or employed by a pesticide user to assess conditions, or to monitor compliance with human health and environmental protection requirements.[12]

4. Specific Requirements Under the *IPM Act* and Regulation by Type and Area of Use

	Requirement for Licence, PUN confirmation or Permit		
Nature of use	**Licence**	**PUN confirmation**	**Permit**
Providing a "service" involving use of a pesticide under a contract to a land owner or manager	✓[13]	n/a[14]	n/a[15]
Pesticide use *on public or private land* to manage vegetation or preserve wood on land used for a railway right of way, yard or associated communication facility	Up to 20 ha/ year of land managed by a single entity	On more than 20 ha/year of land managed by a single entity	n/a
Pesticide use *on public or private land* to manage vegetation on land used for a highway, or rights of way and associated facilities for a public utility or pipeline for oil, gas or water[16]	Up to 20 ha/ year of land managed by a single entity	On more than 20 ha/year of land managed by a single entity	n/a
Use of a bacterial pesticide to manage mosquitoes *on public or private "land"* that is a body of water	Up to 1 ha/year of land managed by a single entity	On more than 1 ha/year of land managed by a single entity	n/a
Use of any pesticide other than a bacterial pesticide to manage mosquitoes *on public land*	n/a	✓	n/a
Pesticide use *on public or private land* to preserve wooden poles on land that is used for a highway or a public utility right of way and associated facility	Up to 1,000 poles a year	1,000 or more poles a year	n/a
Pesticide use *on public land* to manage pests of structures and of goods	✓	n/a	n/a

[11] The details of this system warrant additional public consultation and have not been implemented at present.
[12] No provisions pertaining to appropriate qualifications and use of "qualified monitors" are included at present. These will be incorporated through subsequent amendment of the Regulation, following additional consultation.
[13] **Except**, not required when contracted by another licensee.
[14] A service provider will need to hold or be contracted by a person who holds a PUN confirmation for the types of pesticide use that require a PUN confirmation as listed in this table.
[15] A service provider will need to hold or be contracted by a person who holds a permit for the types of pesticide use that require a permit as listed in this table.
[16] Not including a pipe or a system to distribute water in a community to consumers.

Nature of use	Requirement for Licence, PUN confirmation or Permit		
	Licence	**PUN confirmation**	**Permit**
Pesticide use *on public land* to manage pests of gardens and of landscaping[17]	✓	n/a	n/a
Pesticide use to manage forest pests *on public land* that is forested or used for timber production	Up to 20 ha/ year of land managed by a single entity	On more than 20 ha/year of land managed by a single entity	n/a
Pesticide use *on public land* to manage vegetation on land used for industrial sites other than identified above (includes mines, incinerators, landfills, sewage treatment plants, dams, dikes, reservoirs and airports - but not landscaped areas planted with ornamental plants or otherwise maintained for ornamental purposes)	Up to 20 ha/ year of land managed by a single entity	On more than 20 ha/year of land managed by a single entity	n/a
Pesticide use *on public land* to manage noxious weeds or invasive plants	Up to 50 ha/ year of land managed by a single entity	On more than 50 ha/year of land managed by a single entity	n/a
Pesticide use *on public land* to manage plant roots in sewers and drain pipes	✓	n/a	n/a
Pesticide use *on private land* to manage vegetation on land used for timber production, including private roads, road-sides and other areas ancillary to the timber production	✓	n/a	n/a
Manage pests inside rooms used as living accommodation,[18] or on outdoor areas to which one or more occupier has access, in a multi-residence building *on private land* and containing four or more separate units	**Effective January 7, 2007**	n/a	n/a
Use of a permit-restricted pesticide	n/a	n/a	✓
Aerial application of a pesticide[19]	n/a	n/a	✓
Pesticide application *on public land*, or on a body of water that is not human-made and self-contained, other than those uses requiring a licence or PUN confirmation[20]	n/a	n/a	✓
Pesticide use that requires a licence or PUN confirmation and for which a deviation is requested from the standards for storage, transport disposal or use provisions of the Regulation[21]	n/a	n/a	✓

[17] Including the management of weeds in sidewalks and on parking lots.
[18] Or in to which one or more user has access.
[19] Except for aerial application on land used for agriculture or application of a pesticide whose main active ingredient is a biological organism, or glyphosate (if applied in accordance with requirements set out in a confirmed Pest Management Plan or a licence). Aerial application of any pesticide over urban or residential areas, however, does require a permit.
[20] This includes pesticide uses on public land for which no standards have been prescribed, unless the use is research that follows requirements under the federal *Pest Control Products Act*.
[21] The permit required in this case is for the deviation and would be in addition to the requirement for a licence or PUN confirmation.